

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/024,368	THOMPSON, CATHERINE C.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Karen Cochrane Carlson, Ph.D.	1653	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 28, 2005.
2. ☒ The allowed claim(s) is/are 1,2,4-8,20,22,25-27,30,31,35 and 36.
3. ☒ The drawings filed on 21 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

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This Notice of Allowability is in response to the paper filed on January 28, 2005. Claims 3, 9-19, 21, 23, 24, 29 and 32 have been canceled. Claims 1, 2, 4-8, 20, 22, 25-28, 30, 31, 33, and 34 are currently under examination.

Priority is to April 7, 1998.

### **Withdrawal of Objections and Rejections**

The objection to the disclosure is withdrawn.

In view of the amendments below, the rejection of Claims 1, 4, 6, 7, 20, 22, 25-28, 30, 31, 33, and 34 under 35 U.S.C. 112, first paragraph, is withdrawn.

The rejection of Claims 1, 4, 6, 7, 20, 22, 25-28, 30, 31, 33, and 34 under 35 U.S.C. 112, second paragraph, is withdrawn.

An **Examiner's Amendment** to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bonnie Weiss McLeod on April 8, 2005.

### **Examiner's Amendments to the Claims:**

In Claim 1, between "Hairless" and "wherein", please insert — , wherein said activity is selected from the group consisting of transcriptional activity and the ability to bind thyroid hormone receptor, —.

In Claim 22, after "Claim 1" please insert — having transcriptional activity —.

In Claim 25, between "screening" and "for", please insert — in vitro —.

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In Claim 25, please replace "at least one biological activity of Hairless" with — the ability to bind thyroid hormone receptor — .

26. (currently amended) The method of screening for a chemical agent of Claim 25, wherein the Hairless polypeptide [with Hairless biological activity] is a fusion polypeptide immobilized on a solid support.

Please cancel Claim 28.

30. (currently amended) The method of screening for a chemical agent of Claim [28] 22, wherein Hairless activity is increased by the identified chemical agent.

31. (currently amended) The method of screening for a chemical agent of Claim [28] 22, wherein Hairless activity is decreased by the identified chemical agent.

Please cancel Claim 33.

In Claim 34, between "Hairless" and "wherein", please insert -- , wherein said activity is selected from the group consisting of transcriptional activity and the ability to bind thyroid hormone receptor, —.

35. (new) The method of screening for a chemical agent of Claim 25, wherein Hairless activity is increased by the identified chemical agent.

36. (new) The method of screening for a chemical agent of Claim 25, wherein Hairless activity is decreased by the identified chemical agent.

#### **Examiner's Amendments to the Specification**

At page 5, line 5, please replace "Panels A-M of Fig. 1" with — Figs. 1A-1M —.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Cochrane Carlson, Ph.D. whose telephone number is 571-272-0946.

The examiner can normally be reached on 7:00 AM - 4:00 PM, off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Jon Weber can be reached on 571-272-0925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
KAREN COCHRANE CARLSON, PH.D  
PRIMARY EXAMINER